

NEW RUSTIN MURDER CLUE

POLICE NOW SEEK THE HUSBAND OF HIS PARAMOUR.

He Was a Recently Discharged Soldier and Is Said to Have Been in Omaha—A Cartridge Found in His Handbag.

OMAHA, Sept. 5.—The Rustin murder mystery is narrowing to limits within which the police are satisfied the solution lies.

First of all the Omaha police are now bending their efforts to find the husband of Mrs. Rice, the woman with whom Dr. Rustin was infatuated and with whom he has been spending his time for a year.

Rice is a United States soldier and was discharged from the army in August. It is said that the police have knowledge that he was seen in Omaha within the last week and that he asked concerning the relations existing between his wife and Dr. Rustin.

Telegrams were sent to-day to the War Department at Washington asking when and where Rice was discharged. The police at present want him to explain his whereabouts on the morning of the murder.

The autopsy showed that Dr. Rustin was killed by a bullet from a .32 caliber revolver. The police, searching the room of Mrs. Rice, known sometimes as Leona Connel, discovered, tucked away in one corner of her handbag an empty .32 caliber cartridge hull. Of what this shell is a souvenir the woman refuses to tell.

On Friday, before the death of Dr. Rustin is now known to have drawn a check for \$500 in favor of A. B. Rice. This check was presented at the bank, but payment was refused on the ground that the doctor's account was already far overdrawn. It was found by the police in Mrs. Rice's possession.

When Mrs. Rice was shown the newspapers telling of Rustin's death she fainted and after recovering consciousness raved for the police. The police now confident that Mrs. Rice knows who fired the shot which ended the life of Dr. Rustin, and while they do not accuse her husband of the crime they are searching for him that he may have an opportunity to make explanation of his whereabouts on the night of the murder.

While the woman is not under arrest, yet she is kept in solitary confinement in the matron's ward of the city jail and none is permitted to approach her but her father, A. W. Clary of Des Moines, who arrived in Omaha this morning. He was closeted with his daughter for three hours to-day. "If she has not told the truth of this matter," said he after the interview with her, "she will tell it at the inquest. I will see that she tells the exact truth."

The report that Rice was seen in Omaha within a week, that he made inquiries regarding his wife's relations with Dr. Rustin, that a .32 caliber cartridge shell was found in his wife's handbag, that Rustin was killed with a .32 caliber bullet and that a check for \$500, which might have represented blackmail, upon which payment was refused, has led the police to look more closely into the Rice end of the mystery than they had previously done.

The story of Rice's presence in Omaha came from a man whose name is held by the police. This man, who has been in Omaha for years and says he cannot be mistaken.

"I know Rice well enough for him to put a gun to my head some years ago and tell me to keep away from his wife," said this man.

Mrs. Rice does not attempt to explain the presence of the cartridge shell in her handbag. "I don't know how it got there nor why it is there," she said, "but I know it never came from Dr. Rustin's pistol because he never had a pistol all the time I have known him, and I myself never had a pistol."

The police do not believe Mrs. Rice fired the shot which killed Dr. Rustin, but they think she knows who did the deed and that she met that person after the murder and got the cartridge as a souvenir or through some freak of a criminal mind. Before she had an opportunity to dispose of it she was taken into custody and the article was discovered.

The Rice woman reached her room at Clara Gleason's place just about midnight and, according to the inmates of the place, did not leave there again until taken away by the police at 10 o'clock on the morning after the murder, so that any of them knew that she was there. The woman was in her own room alone she might easily have slipped out, met the murderer and returned to her room without any one being the wiser.

The \$500 check which the bank refused to cash is believed to represent money paid in a blackmail deal and the failure to secure the cash on the check may have been an incentive to the party who was to have the money after Mrs. Rice had cashed the check to commit murder. The police have information that Rustin had tried of the woman and was attempting to break off with her, although Dr. Rustin and Mrs. Rice were only last week ejected from a hotel in Omaha, where they had taken a suite of rooms under the name of A. Rice and wife.

The police now are satisfied that they are on the right road to a solution of the murder mystery and that in Mrs. Rice they hold a key which will enable them to place the murderer behind the bars.

FAINTED IN CHURCH

From Hunger—Persons at Devotion Thought He Had Attempted Suicide.

Richard O'Brien went to the Church of the Holy Redeemer in East Third street yesterday afternoon, knelt in a pew and drank the contents of a small vial. O'Brien fainted and persons in church thought he had attempted suicide. An ambulance doctor said that he had taken nothing harmful, that the man was suffering from hunger and exhaustion.

He was taken to the hospital, where he said he was homeless. There was excitement in the neighborhood, because the church has been the scene of several robberies and a murder. Dutch Meyer killed Policeman Schmidt there two years ago while Schmidt was trying to arrest him for breaking into the poorhouse. Several months ago a man was discovered hiding behind the altar after the church had been closed.

One Hundred Years Old Yesterday.

UTICA, Sept. 5.—Guy C. Palmer of Middle Settlement, near this city, was 100 years old to-day, and the birthday anniversary was celebrated by his children, grandchildren, great-grandchildren and great-great-grandchildren. Mr. Palmer enjoys excellent health and his mental faculties are unimpaired. He has been married three times. His third wife, who was Mrs. Pamela Nichols of Cortland, is now living. Palmer was a man of considerable fortune and since his retirement from active business pursuits has put in his time enjoying himself.

Jeuit College to Be Dedicated on Sept. 27.

MAYOR JOHNSON HAS TO YIELD.

Must Risk the Franchise of His Office for Three Cent Fare in a Referendum.

CLEVELAND, Sept. 5.—The city council by unanimous vote in a special meeting to-night obeyed the behest of Mayor Tom L. Johnson, controlling force in the Municipal Traction Company, the three cent fare corporation, and authorized the Mayor to call a special election on October 22 to submit to a referendum the franchise under which the company is operating.

Decision to call this election, against which Mayor Johnson has fought for months, since a petition demanding it was presented through the efforts of striking street car employees, was reached last night at a secret caucus of Democratic Councilmen.

To risk the fruits of his seven years' battle for low fare in one reference to a vote of the people was the decision forced on Mayor Johnson by the plight in which the Municipal Traction Company finds itself. Operating for nearly four months at an average monthly deficit of \$25,000, the company has found itself compelled to raise money through a stock issue for expenses of maintenance and necessary improvements. The lease under which it is operating the lines of the Cleveland Railway Company provides that the latter corporation on demand shall issue stock for the obtaining of money for the lease. This demand was made last week.

State Senator Schmidt, in charge of the Municipal stock selling bureau, the author of the Schmidt law under which it is provided that a traction franchise must be submitted to a referendum, has admitted that because of the filing of the petition for a referendum the franchise under which the Municipal has leased operation privileges from the Cleveland Railway Company is invalid.

Mayor Johnson and the Municipal were attacked in another quarter to-day when John Cline, attorney for striking street railway employees, asked in Common Pleas Court for an injunction against the operation of the car lines on the Cleveland Railway and the Municipal, asserting that the franchise is illegal because obtained by fraud charged to Mayor Johnson.

The petition charges that Mayor Johnson has waged the street car fight by granting franchises to companies opposing the Cleveland Railway Company and in the last election obtained written pledges from candidates for the Council that they would aid him by their votes in a scheme to capture the street railway system of the city. The petition also prays for the return to the city treasury of money of the city alleged to have been spent in behalf of the various low fare railway companies.

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Lord & Taylor

Are Introducing

Early Fall Styles

in

Plain and Fancy Silks,
Tailor Suitings, Broadcloths,
Wool Dress Materials
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Will Place On Sale Tuesday, Sept. 8th

2,500 yds. 36-inch Black Dress Silk

of which the regular price is \$1.25 yd.,

at 85c. yd.

"Special Broadcloth"

Striped effect, "self color" in the desirable fall

shades and black,

unusual offering at \$1.35 yd.

Broadway & 20th St.; 5th Ave.; 19th St.

LABOR DAY OBSERVANCES

KEIR HARDIE TO HELP THINGS ALONG ON MONDAY.

The Rev. Perry Grant to Talk on the General Subject of the Day This Evening at the Church of the Ascension—A Big Parade Set for Monday.

The Labor Day parade of the Central Federated Union to-morrow, according to Chairman A. B. McStay and Secretary Herman Robinson of the Labor Day parade committee yesterday, will be the largest that has taken place in several years. Secretary Robinson said that he expects 40,000 men in line, notwithstanding the fact that a large number of people are still idle in the different trades.

The members of unions whose treasuries have been so taxed in caring for unemployed members that they cannot afford bands of music or uniforms will be placed in line between the unions which have these accessories.

The housewives will turn out 6,000 strong, in uniforms consisting of red blouses, white duck trousers and gray felt hats, and will have floats illustrating the perils of working high in air on the steel ribs of skyscraping structures. The Theatrical Protective Union will have a band of 100 pieces.

The parade will start at 9:30 A. M. from the place at Fifty-ninth street and Fifth avenue and the line of march will be down Fifth avenue to Washington Square, where the parade will disband. The grand marshal, Anthony B. McStay with his aides, James P. Holland and John O'Brien, will head the column behind a platoon of police. They will be followed by James Higgins, assistant grand marshal, and his aides, Albert Abraham and Samuel A. Debs, President A. B. Coakley and the delegates of the Central Federated Union. The Women's Trade Union League will be in line in automobiles.

In the afternoon the Women's Trade Union League will have a dinner in Arlington Hall, in St. Marks place, where Keir Hardie, the English Labor member of Parliament, who arrived here yesterday from Albany, will speak. He says that he will not speak on politics and that he will be the guest of the League.

He will attend a mass meeting of the Socialist party in the Grand Central Palace to-morrow night, where Clarence Darrow, who defended the officers of the Western Federation of Miners, will give a lecture.

A Labor Day address will be given this evening by Rev. Perry Grant in the Church of the Ascension, Fifth avenue and Tenth street.

A number of the individual unions will celebrate Labor Day by outdoor festivals, and some by indoor mass meetings in the evening.

A parade of the unemployed will take place in the afternoon under the auspices of the National Committee for the Relief of the Unemployed, from Duane and Lafayette streets to Cooper Union, where a mass meeting will be held.

NO STEERAGE ON UMBRIA, But an Overflow Second Cabin—A Priest Dies at Sea.

The Cunarder Umbria, in yesterday from Liverpool and Queenstown, brought no immigrants, as it was necessary to stow the steerage quarters for second cabin passengers who could not be provided with accommodation in regular state-rooms. This was because the Umbria also had the passengers of her sister ship, the Etruria, which was damaged by collision with a dredge in the Mersey and was withdrawn for repairs.

Among the Umbria's voyagers were Capt. Arthur Desbrough, a member of the British Explosives Commission, and one of three European mining experts brought here by our Government to consider methods to prevent loss of life in coal mines. He will inspect all the important mines of the United States and examine the Newcastle beds of Colorado, which have been burning for years.

The Rev. R. J. Daly, a priest of the diocese of Sioux Falls, S. D., died on the Umbria of heart disease on Wednesday and was buried at sea.

Auto Seizes Team, Farmer Killed.

HICKSVILLE, N. Y., Sept. 5.—Henry Schwartz, 41 years old, a former road commissioner of this place and a well to do farmer, was killed here last night when the team he was driving became frightened at a passing auto, turned sharply and threw Schwartz out. His skull was fractured and he died in a few minutes. The Rev. William Miller, pastor of a local church, who saw the accident, says the auto was kept right on and made no attempt to ascertain if the man was badly injured.

Automobile Kills a 25,500 Arabian Mare.

NEWBURGH, Sept. 5.—James A. Ramsdell, a breeder of fine Arabian horses, had several of them on exhibition at the Orange county fair. On their way home last night from Middletown, Mr. Ramsdell and one of them, the mare Natick, was so badly injured that it was killed. Mr. Ramsdell last week refused \$2,000 for the animal. Mr. Taylor was not in the automobile.

JOHN J. EMERY DEAD.

He Owned 1,000 Buildings in Cincinnati and Had Large Holdings in This City.

BAR HARBOR, Me., Sept. 5.—The death of John J. Emery, 75 years of age, the last of the Emery brothers, and one of the most prominent members of the cottage colony at Bar Harbor, occurred early Saturday morning at the Turrets, his summer home, after a prolonged attack of pneumonia.

He was one of the most prominent New Yorkers who spent the summer at Bar Harbor and he owned one of the largest summer estates there. Although he had been seriously ill at the cottage since the early part of the summer he had been gradually recovering during the last few days and his complete recovery was looked for at an early date. A relapse came this week, however, and in spite of the efforts of a number of doctors and nurses he died this morning.

Mr. Emery owned large interests in Cincinnati and spent a large amount of time there, coming to Bar Harbor early in the spring and remaining till late fall. He leaves a widow and five children.

He was born in Cincinnati seventy-five years ago and lived there until his marriage, in 1882, when he moved to New York, where he had lived since that time. In 1892 he married Miss Leila Alexander, daughter of Gen. Charles T. Alexander. They have five children, three sons and two daughters.

Mr. Emery was conservatively estimated to be worth in the neighborhood of \$400,000. He had a large amount of property in Cincinnati and other Western cities, owning over a thousand buildings in Cincinnati alone and his New York holdings were large. The Turrets, his Bar Harbor home, was one of the show places of the resort. The bulk of the fortune left by him will in all probability go to the widow. With his death she becomes one of the richest women of America.

OBITUARY.

Following an illness of five months, which was made more serious by his age—72 years—Thomas J. Richards, vice-president of the Philadelphia and Reading Coal and Iron Company, died at his home in Philadelphia yesterday.

Mr. Richards was one of the most widely known men connected with the anthracite industry, having been vice-president of the company for fifty years. He was born in Reading, Pa., on October 28, 1835. He entered the service of the Reading Coal and Iron Company in 1858, as a clerk in the office of the division superintendent at Reading. When the company was reorganized, he was made a member of the board of directors and organized a company of which he was made captain. He fought through the war and was made a member of the Grand Army of the Republic.

After peace was declared he returned to the Reading service. On June 1, 1876, he was elected Reading's general agent in Boston, and three daughters survive him.

Max Ann, president of the Max Ann Machine Company, died at his home in New York City yesterday.

Mr. Ann was president of the Max Ann Machine Company, which was a large manufacturing company, for many years.

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